

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ORACLE USA, INC., a Colorado corporation;)
ORACLE AMERICA, INC., a Delaware)
corporation; and ORACLE)
INTERNATIONAL CORPORATION, a)
California corporation,)

2:10-CV-00106-LRH-PAL

Plaintiffs,

ORDER

v.

RIMINI STREET, INC., a Nevada)
corporation; SETH RAVIN, an individual,)

Defendants.

Before the court are plaintiffs' Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation's (collectively "Oracle") motion to seal portions of its motion for summary judgment (Doc. #251¹) and motion to seal portions of its reply brief (Doc. #296).

Also before the court is defendant Rimini Street, Inc.'s ("Rimini Street") motion to seal portions of its opposition to the motion for summary judgment. Doc. #265.

As an initial matter, the court is acutely cognizant of the presumption in favor of public access to papers filed in the district court. *See Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995). Therefore, a party seeking to file materials under seal bears the burden of overcoming that

¹Refers to the court's docket entry number.

1 presumption by showing that the materials are covered by an operative protective order and are
2 also deserving of confidentiality. *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135
3 (9th Cir. 2005). Specifically, a party must “articulate compelling reasons supported by specific
4 factual findings that outweigh the general history of access and the public policies favoring
5 disclosure.” *Kamakana, City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006)
6 (internal citations omitted).

7 Here, in this intellectual property action, the court has entered a protective order governing
8 documentation and testimony that is confidential to the parties’ internal research and development.
9 The court has reviewed the documents and pleadings on file in this matter and finds that documents
10 at issue in the present motions contain information that is designated “Confidential” and “Highly
11 Confidential” under the protective order. Therefore, the court finds that the parties have satisfied
12 their burdens to show compelling reasons for filing the various pleadings under seal. Accordingly,
13 the court shall grant the parties’ motions.

14
15 IT IS THEREFORE ORDERED that plaintiff’s motions to seal (Doc. ##251, 296) are
16 GRANTED.

17 IT IS FURTHER ORDERED that defendant’s motion to seal (Doc. #265) is GRANTED.

18 IT IS SO ORDERED.

19 DATED this 6th day of June, 2012.



20
21
22 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
23
24
25
26